

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
FRANCISCO COLON JR.,  
Plaintiff,

08 CV 00182 (PAC) (GWG)

-against-

PROOF OF SERVICE OF  
NOTICE AND PETITION  
FOR REMOVAL

ALBERT FRANCO,

Defendant.  
-----X

PLEASE TAKE NOTICE that attached hereto are the proofs of service of the Notice and Petition for Removal and Answer as follows:

1. SERVICE ON SUPREME COURT, BRONX COUNTY

Attached as **Exhibit "A"** is a copy of the affidavit of service by mail of the Notice and Petition for Removal with exhibits, the Civil Cover Sheet and letter dated January 10, 2008 to the Clerk of the Supreme Court, Bronx County.

2. SERVICE ON PLAINTIFF'S COUNSEL

Attached as **Exhibit "B"** is a copy of the affidavit of service by mail of the Notice and Petition for Removal with exhibits, Civil Cover Sheet and letter dated January 10, 2008, to plaintiff's counsel with the Individual Practice Rules for District Judge Crotty and the Individual Practice Rules of Magistrate Judge Gorenstein.

Dated: New York, New York  
January 10, 2008



By: MAURIZIO SAVOIARDO (MS-6918)

Law Offices of  
ZAWACKI, EVERETT & GRAY  
Attorneys for Defendant  
116 John Street, Suite 1214  
New York, NY 10038  
(212) 732-3377

# **EXHIBIT A**

STATE OF NEW YORK            )  
  ) s.s.:  
COUNTY OF NEW YORK        )


ROBYN LORENZO, being duly sworn, deposes and says:

That deponent is not a party to the action, is over 18 years of age and resides in Staten Island, New York.

That on the 10<sup>th</sup> day of January, 2008, deponent served within **LETTER TO CLERK OF THE SUPREME COURT OF THE STATE OF NEW YORK, COUNTY OF BRONX DATED JANUARY 10, 2008, CIVIL COVER SHEET, NOTICE OF FILING PETITION OF REMOVAL AND VERIFIED PETITION OF REMOVAL** upon:

Clerk  
Supreme Court, Bronx County  
851 Grand Concourse  
Bronx, NY 10451

the addresses designated by said attorneys for that purpose by depositing a true copy of same enclosed in a postpaid properly addressed wrapper in an official depository under the exclusive care and custody of the United States Post Office Department within the State of New York.

  
ROBYN LORENZO

Sworn to before me this  
10<sup>th</sup> day of January, 2008

  
NOTARY PUBLIC

MAURIZIO SAVOJARDO III  
Notary Public, State of New York  
No. 02SA5032041  
Qualified in Suffolk County  
Commission Expires Nov 20, 2010

# **EXHIBIT B**

STATE OF NEW YORK            )  
  ) s.s.:  
COUNTY OF NEW YORK        )


ROBYN LORENZO, being duly sworn, deposes and says:

That deponent is not a party to the action, is over 18 years of age and resides in Staten Island, New York.


That on the 10<sup>th</sup> day of January, 2008, deponent served within **LETTER TO PLAINTIFF'S ATTORNEY DATED JANUARY 10, 2008, CIVIL COVER SHEET, NOTICE OF FILING PETITION OF REMOVAL, VERIFIED PETITION OF REMOVAL, INDIVIDUAL RULES FOR DISTRICT JUDGE CROTTY and INDIVIDUAL RULES OF MAGISTRATE JUDGE GORENSTEIN** upon:

LAW OFFICES OF NELLY STOTLAND & ASSOCIATES, P.C.  
Attorneys for Plaintiff  
118-21 Queens Blvd., Suite 404  
Forest Hills, NY 11375  
(718) 261-0133

the addresses designated by said attorneys for that purpose by depositing a true copy of same enclosed in a postpaid properly addressed wrapper in an official depository under the exclusive care and custody of the United States Post Office Department within the State of New York.

  
ROBYN LORENZO

Sworn to before me this  
10<sup>th</sup> day of January, 2008

  
NOTARY PUBLIC

MAURIZIO SAVOIARDO III  
Notary Public, State of New York  
No. 02SA5032041  
Qualified in Suffolk County  
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